

FREEDOM COURT REPORTING

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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE MIDDLE DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4 CIVIL ACTION NO. 1:05-CV-877-CSC</p> <p>5</p> <p>6 LISA MINTON,</p> <p>7 Plaintiff,</p> <p>8 vs.</p> <p>9 CULLIGAN WATER, INC.,</p> <p>10 Defendants.</p> <p>11</p> <p>12 DEPOSITION OF LISA MINTON</p> <p>13 In accordance with Rule 5(d) of</p> <p>14 The Alabama Rules of Civil Procedure, as</p> <p>15 Amended, effective May 15, 1988, I, DONNA</p> <p>16 ARMSTRONG, am hereby delivering to KEITH</p> <p>17 HAMILTON the original transcript of the</p> <p>18 oral testimony taken on the 24th day of</p> <p>19 March, 2006, along with exhibits.</p> <p>20 Please be advised that this is the</p> <p>21 same and not retained by the Court</p> <p>22 Reporter, nor filed with the Court.</p> <p>23</p>	<p>1 IT IS FURTHER STIPULATED AND</p> <p>2 AGREED that it shall not be necessary for</p> <p>3 any objections to be made by counsel to any</p> <p>4 questions, except as to form or leading</p> <p>5 questions, and that counsel for the parties</p> <p>6 may make objections and assign grounds at</p> <p>7 the time of trial, or at the time said</p> <p>8 deposition is offered in evidence, or prior</p> <p>9 thereto.</p> <p>10 IT IS FURTHER STIPULATED AND</p> <p>11 AGREED that the notice of filing of the</p> <p>12 deposition by the Commissioner is waived.</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>
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<p>1 DEPOSITION TESTIMONY OF:</p> <p>2 LISA MINTON</p> <p>3 MARCH 24, 2006</p> <p>4 1:25 p.m.</p> <p>5</p> <p>6 COURT REPORTER: Donna Armstrong</p> <p>7</p> <p>8 STIPULATION</p> <p>9 IT IS STIPULATED AND AGREED, by</p> <p>10 and between the parties, through their</p> <p>11 respective counsel, that the deposition of</p> <p>12 LISA MINTON may be taken before Donna</p> <p>13 Armstrong, Commissioner, Certified</p> <p>14 Professional Reporter and Notary Public,</p> <p>15 State at Large;</p> <p>16 IT IS FURTHER STIPULATED AND</p> <p>17 AGREED that the signature to and reading of</p> <p>18 the deposition by the witness is waived,</p> <p>19 the deposition to have the same force and</p> <p>20 effect as if full compliance had been had</p> <p>21 with all laws and rules of Court relating</p> <p>22 to the taking of depositions;</p> <p>23</p>	<p>1 INDEX</p> <p>2</p> <p>3 EXAMINATION BY: PAGE:</p> <p>4 MR. HAMILTON 06</p> <p>5</p> <p>6</p> <p>7 EXHIBITS</p> <p>8</p> <p>9</p> <p>10 Defendant's 1 29</p> <p>11 Defendant's 2 31</p> <p>12 Defendant's 3 34</p> <p>13 Defendant's 4 37</p> <p>14 Defendant's 5 48</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>

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<p style="text-align: right;">Page 61</p> <p>1 was located?</p> <p>2 A. No, sir. I had the address in the</p> <p>3 Dothan Eagle.</p> <p>4 Q. This is where you saw the</p> <p>5 newspaper ad in January of last year?</p> <p>6 A. Yes, sir.</p> <p>7 Q. You had never noticed it driving</p> <p>8 by?</p> <p>9 A. Well, I had, sir, but it -- you</p> <p>10 know that day, you know, you start to think</p> <p>11 where have I seen that ad? Where have I</p> <p>12 seen that ad? So that's how that was.</p> <p>13 Q. So you saw a newspaper</p> <p>14 advertisement for Culligan of the</p> <p>15 Wiregrass?</p> <p>16 A. Yes, sir.</p> <p>17 Q. That was in January of '05?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Did the ad say what the job was</p> <p>20 about?</p> <p>21 A. Route sales.</p> <p>22 Q. Did it say what was required in</p> <p>23 that job?</p>	<p style="text-align: right;">Page 63</p> <p>1 him up first and then I went to Culligan.</p> <p>2 Q. Did you take your son with you?</p> <p>3 A. Yes, sir, I did.</p> <p>4 Q. And Michelle Potter was also with</p> <p>5 you?</p> <p>6 A. Yes, sir.</p> <p>7 Q. Why was she with you?</p> <p>8 A. I don't know what had come up that</p> <p>9 day, but she was in Dothan and she had</p> <p>10 called me and actually wanted to go out to</p> <p>11 breakfast. We often did at Shoney's. And</p> <p>12 I told her I couldn't because I had to go</p> <p>13 and apply for a job and she just rode with</p> <p>14 me. And in the midst of doing that,</p> <p>15 stopping and getting gas, we had to stop</p> <p>16 and get gas, and then my son called, mom,</p> <p>17 I'm sick, come get me. And so we went and</p> <p>18 picked him up and then I went on to do what</p> <p>19 I was doing.</p> <p>20 Q. So you pulled up. Is there, like,</p> <p>21 a parking lot out front, parking area?</p> <p>22 A. Yes, sir. When you pull up --</p> <p>23 when you -- when you pull up, you can go to</p>
<p style="text-align: right;">Page 62</p> <p>1 A. Not that I can remember, sir.</p> <p>2 Q. All right. So you see the ad in</p> <p>3 the paper and what did you do next?</p> <p>4 A. The next day I went and applied</p> <p>5 for the job.</p> <p>6 Q. You went down to the actual</p> <p>7 facility?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Did you call anybody before then?</p> <p>10 A. No, sir.</p> <p>11 Q. So you just drove down there. How</p> <p>12 close is your home to -- to the Culligan of</p> <p>13 the Wiregrass?</p> <p>14 A. Probably about four miles.</p> <p>15 Q. So that just took you about three</p> <p>16 and a half hours to get there?</p> <p>17 A. No, sir.</p> <p>18 Q. Did you go down there in the</p> <p>19 morning or midday or afternoon, do you</p> <p>20 recall?</p> <p>21 A. It was mid morning and the reason</p> <p>22 for that was my son had called me and he</p> <p>23 was sick at school and so I had to go pick</p>	<p style="text-align: right;">Page 64</p> <p>1 the right and there is, like, just a few</p> <p>2 little spaces right here or you can go</p> <p>3 straight on up, which would be where, you</p> <p>4 know, the majority of the trucks come in</p> <p>5 and pull up and stuff. There is a few</p> <p>6 parking spots on that side as well. But as</p> <p>7 I pulled up, I pulled in to the right where</p> <p>8 just a few spaces are.</p> <p>9 Q. So that's the front of the</p> <p>10 building?</p> <p>11 A. Yes, sir, right by the front door.</p> <p>12 Q. Did you go in the front door?</p> <p>13 A. Yes, sir, I did.</p> <p>14 Q. Describe what you saw?</p> <p>15 A. When I walked in, I didn't see</p> <p>16 anyone to start with. But when I walked in</p> <p>17 to your immediate left is a big long, like,</p> <p>18 counter.</p> <p>19 Q. Okay.</p> <p>20 A. And so then I approached that</p> <p>21 counter.</p> <p>22 Q. How big is the room that you are</p> <p>23 standing in?</p>

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<p style="text-align: right;">Page 65</p> <p>1 A. I'm no good with measurements at 2 all, but I can tell you that when you walk 3 in the door you immediately have got this 4 long counter to your -- to my left. Okay. 5 On your right, you have got, like, a little 6 -- a little office, like a little foyer 7 type thing. And then behind that desk you 8 have got another area of, like, a desk and 9 typewriters and phones and stuff of that 10 nature. And then where the two gentlemen 11 were sitting was in the office located 12 right behind the area I just described. 13 Q. To the left or to the right? 14 A. To the left. 15 Q. Okay. So there is counter to the 16 left? 17 A. Counter, work space (indicating). 18 Q. Work space behind it? 19 A. Secretary space. Behind that is a 20 window and a door. 21 Q. Okay. And that's where you saw -- 22 A. The two gentlemen. 23 Q. Were they the only ones that you</p>	<p style="text-align: right;">Page 67</p> <p>1 applications there. 2 Q. Somebody comes out -- a man comes 3 out from behind the door? 4 A. Yes, sir. 5 Q. Comes out to greet you? 6 A. Yes, sir. 7 Q. What did this man look like? 8 A. He was -- he was short -- kind of 9 short natured. Kind of chunky. As far as 10 facial expressions, I can't remember 11 exactly. I mean, I would recognize him if 12 I seen him, but to describe it to you 13 exactly what he looked like, I believe he 14 had a mustache. But I can't, you know -- 15 Q. Did he have a name tag on? 16 A. I don't remember. 17 Q. Uniform? 18 A. I don't remember what he was 19 wearing, sir. 20 Q. Do you remember his hair color? 21 A. Dark in nature. 22 Q. Okay. Full head of hair or 23 handsome like me?</p>
<p style="text-align: right;">Page 66</p> <p>1 saw? 2 A. Yes, sir. 3 Q. Okay. The counter, is this like a 4 service counter? 5 A. Yes, sir. 6 Q. So I take it you went up there. 7 What did you do, ring a bell, knock on the 8 counter, what did you do? 9 A. No, sir, they seen me. Once I 10 approached the counter, they seen me and 11 one of the gentlemen came out to help me 12 and so I told him what I was there for. 13 Q. Okay. Did you see anything on the 14 counter? 15 A. There was numerous things on the 16 counter. 17 Q. Papers? 18 A. There was papers. There was, 19 like, a folder type thing. But that's all 20 that I recall. 21 Q. Did you see a stack of job 22 applications on the counter? 23 A. Yes, I do believe there was some</p>	<p style="text-align: right;">Page 68</p> <p>1 A. Handsome like you. I don't think 2 he had a whole lot of hair. 3 Q. Thank you. Did he identify 4 himself, do you recall? Did he say who he 5 was? 6 A. I don't recall. 7 Q. Black or white? 8 A. White. 9 Q. Since this EEOC charge was 10 initiated and the lawsuit was filed, you 11 have heard the name Pete Rollins? 12 A. Yes. 13 Q. Do you recall whether that was the 14 person you spoke to? Does that name ring a 15 bell or do you just know that from seeing 16 it in this case? 17 A. No, that name rung a bell. 18 Q. Can you be certain that you spoke 19 to somebody named Pete or does that seem to 20 make -- that just rings a bell? 21 A. No, sir, it doesn't just ring a 22 bell. As I walked in that day and I 23 approached the counter and he come walking</p>

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<p style="text-align: right;">Page 69</p> <p>1 up towards me, there was a gentleman that</p> <p>2 was sitting in the back of that little</p> <p>3 office that leaned back in his chair like</p> <p>4 this and that's when -- I never knew his</p> <p>5 name. I couldn't remember his name. And</p> <p>6 that's when -- when I told them what I was</p> <p>7 there for, Pete will help you. But that's</p> <p>8 all I knew.</p> <p>9 Q. Oh.</p> <p>10 A. That's all I knew.</p> <p>11 Q. Okay. I got you. So the first</p> <p>12 guy that came out said Pete will help you.</p> <p>13 A. No, sir. No, sir. No, sir. The</p> <p>14 guy leaned back in the chair. The</p> <p>15 gentleman that stayed in the office, leaned</p> <p>16 back in the chair with the door open like</p> <p>17 this.</p> <p>18 Q. Like with his back to you?</p> <p>19 A. No, he was like to the side, just</p> <p>20 like this right here (indicating). Leaned</p> <p>21 back, turned his head this way, and Pete</p> <p>22 was walking towards me.</p> <p>23 Q. Okay. And so the guy was just</p>	<p style="text-align: right;">Page 71</p> <p>1 when he acknowledges me coming in and then</p> <p>2 Pete comes walking up to the counter.</p> <p>3 Q. Is that when you said I'm here to</p> <p>4 apply for a job or had you said that before</p> <p>5 Pete came out?</p> <p>6 A. No, sir. When Pete was</p> <p>7 approaching this -- the counter top.</p> <p>8 Q. Okay. And when we say Pete, we're</p> <p>9 referring to the shortish man with the dark</p> <p>10 hair, with some dark hair?</p> <p>11 A. Yes.</p> <p>12 Q. Where was your son? Where was</p> <p>13 Michelle Potter?</p> <p>14 A. In the car.</p> <p>15 Q. Did they ever come inside?</p> <p>16 A. No, sir.</p> <p>17 Q. Okay. The man we'll call Pete</p> <p>18 comes to the counter and the two of you</p> <p>19 have a discussion; right?</p> <p>20 A. Uh-huh. Yes, sir, I'm sorry.</p> <p>21 Q. How long were you in there talking</p> <p>22 to Pete?</p> <p>23 A. Several minutes. I can't be</p>
<p style="text-align: right;">Page 70</p> <p>1 talking to you. Pete was walking towards</p> <p>2 you. You said exactly what? Do you</p> <p>3 remember what you said? You said you told</p> <p>4 him why you were there, but do you remember</p> <p>5 what you said?</p> <p>6 A. Yeah, that I was there to apply</p> <p>7 for the job.</p> <p>8 Q. Do you remember the exact words</p> <p>9 that you used?</p> <p>10 A. That I was there to apply for the</p> <p>11 job. You know, and then he started talking</p> <p>12 and I wanted to know about the job.</p> <p>13 Q. Don't get ahead of us.</p> <p>14 A. Okay.</p> <p>15 Q. Did you say this to Pete or did</p> <p>16 you say it to the guy in the chair?</p> <p>17 A. Pete. The one that came out to</p> <p>18 greet me.</p> <p>19 Q. When did the guy in the chair say</p> <p>20 Pete will help you?</p> <p>21 A. As Pete were walking out the door,</p> <p>22 they were back there giggling and cutting</p> <p>23 up. He leans back in his chair and that's</p>	<p style="text-align: right;">Page 72</p> <p>1 precise on the minutes, but he and I were</p> <p>2 in a conversation.</p> <p>3 Q. Like maybe five minutes?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Okay.</p> <p>6 A. Approximately, yes, sir.</p> <p>7 Q. Probably not ten?</p> <p>8 A. I'm not sure of quite how many</p> <p>9 minutes. I know I was in there for several</p> <p>10 minutes.</p> <p>11 Q. As best you can --</p> <p>12 A. Okay.</p> <p>13 Q. -- tell me everything that was</p> <p>14 said --</p> <p>15 A. Okay.</p> <p>16 Q. -- starting at the beginning.</p> <p>17 A. Okay. When he come out and I told</p> <p>18 him what I was there for, then he and I got</p> <p>19 into a conversation. And he was explaining</p> <p>20 to me what the job was in detail of, what</p> <p>21 you had to do. One of the things being you</p> <p>22 have to lift and he turned or he did his</p> <p>23 hand out like this, and said you have to</p>

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<p>1 look at me and say you cannot lift 2 fifty pounds. 3 Q. Exactly what did he say when he 4 suggested it? 5 A. He was, ma'am, we can't hire a 6 woman for this position. You know, it is 7 just we -- we -- we just can't put a woman 8 lifting that kind of stuff up and down off 9 of these trucks all day. I said -- 10 Q. Go ahead. 11 A. I said, I do have experience in 12 this. I have pulled product from Swan's 13 trucks climbing up on the ladders of the 14 side of the truck, reaching up, pulling 15 products off of the truck. I can do this. 16 Ma'am, we just -- we just -- and he 17 actually thought it was funny. He laughed 18 about it. 19 Q. I want to just make sure that we 20 have down as best you can the exact words 21 that he used and I know you have been 22 through this and I want to make sure -- 23 already you have told me a lot of this.</p>	<p>1 are you? Well, I'm here to apply for your 2 job. I had seen it in the newspaper and I 3 would like to apply for the job. Do you 4 have any experience? Yes, sir, I do. 5 Q. Okay. Let's go slow then. Does 6 he literally say, do you have any 7 experience? 8 A. Yes. 9 Q. So you are not just approximating 10 what probably happened in the conversation 11 because that's the way these conversations 12 go -- 13 A. Okay. 14 Q. -- are you? I mean, are you just 15 saying it was this kind of a conversation 16 and went like this or are you giving me 17 exact words? 18 A. I was displaying for you exactly 19 what I said and what he said to me as I 20 come into the door and approached the 21 counter and he approached the counter with 22 me. 23 Q. All right.</p>
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<p>1 But I want to make sure that we're getting 2 the exact words as opposed to your 3 approximation of the words. 4 A. Okay. 5 Q. Okay. And I want you to start at 6 the point where he is telling you about the 7 job. 8 A. Okay. 9 Q. Which I assume this happened 10 before he said -- ma'am, we can't hire a 11 woman? 12 MR. WILSON: I'm going to object 13 as asked and answered. Go ahead again. 14 Q. I want you to take it in order. 15 So start with the first discussion, the 16 first point of the discussion that you and 17 the man we're calling Pete had about this 18 position that you are coming in for? 19 A. Okay. The onlyiest way I know how 20 to answer what you are asking me is just to 21 kind of sit here and say exactly -- okay, I 22 walk in. He comes out. Hey, hi, my name 23 is Lisa Minton, how are you? Fine. How</p>	<p>1 A. So I introduced myself. 2 Q. Okay. 3 A. And I tell him what I'm there for. 4 Q. And he asked do you have any 5 experience? 6 A. Yes, sir. And I was in the midst 7 of telling him what experience I have. 8 Q. Which was? 9 A. Which was Schwan's and which was 10 Made-Right. 11 Q. Okay. 12 A. Which he -- at that point, he 13 never did let me finish that whole 14 conversation. He never did let me even 15 finish explaining to him what my 16 qualifications was. Okay? 17 Q. What did he do? 18 A. That's when he interrupted me and 19 started telling me about what they do, what 20 their route sales people do. Okay? And 21 that was when the bottle of water, you 22 know, this is what -- this is the bottle of 23 water here and there was one sitting in the</p>

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<p style="text-align: right;">Page 81</p> <p>1 little lobby area that I explained to you. 2 And there was a bag in the lobby area. I 3 don't know the contents of the bag. He did 4 tell me, but I don't remember what the 5 contents was. I said, well, that would be 6 fine. I can do this. 7 Q. Okay. 8 A. Well, the conversation kind of 9 went from at that point -- 10 Q. Hold on now. Again, this is for 11 clarity. 12 A. Okay. 13 Q. Don't characterize it right now. 14 Where the conversation went that sort of 15 thing. 16 A. Okay. 17 Q. I want you to tell me the actual 18 words. You know what I'm saying? Don't 19 describe the general subjects of what is 20 happening and what you are thinking and all 21 of that sort of stuff. We are going to get 22 to that. But I want you to tell me the 23 actual words that are being used by Pete</p>	<p style="text-align: right;">Page 83</p> <p>1 down, lifting these bottles of water and 2 these bags all day. 3 Q. Now, those words you just -- 4 A. Yes, sir. 5 Q. -- recited, those were the exact 6 words that he used? 7 A. Yes, sir. (Witness nods head.) 8 Q. And you are a hundred percent 9 positive about that? 10 A. Yes, sir. Yes, sir. 11 Q. And he said that while you were 12 trying to say I can handle it? 13 A. Yes, sir. 14 Q. And you said that he was laughing? 15 A. He laughed, yes, sir. He did. 16 His comment was, I know I shouldn't be 17 saying this and laughed. I know I 18 shouldn't be saying this. At that point 19 the conversation kind of dwindled away. 20 Thank you, sir, have a good day. I walked 21 out the door. I was so upset. There was 22 something on the door. I don't know what 23 it was. But as I opened the door and</p>
<p style="text-align: right;">Page 82</p> <p>1 and by yourself during this conversation. 2 So he told you about the bottles and he 3 told you about the bags and he talked about 4 having to lift fifty pounds? 5 A. Yes, sir. 6 Q. And you are saying I can handle 7 it. 8 A. I can do this. 9 Q. Okay. 10 A. Yes, sir. 11 Q. Continue. 12 A. Okay. That's when he -- okay? So 13 I'm telling him that I can do this. You 14 know, I have experience in this and I can 15 do this. 16 Q. What is the next thing that you 17 remember him saying? 18 A. And he is saying to me -- because 19 I was pushing myself really. 20 Q. Okay. 21 A. And what he said to me was, ma'am, 22 we can't hire a woman for this position. 23 We just can't have a woman climbing up and</p>	<p style="text-align: right;">Page 84</p> <p>1 walked out, it cut my finger. And I went 2 and got in the car and I just sat there. 3 Michelle says what's wrong with you? I 4 said you would not believe what just took 5 place and I commenced into telling her. 6 Q. Did he tell you that you were not 7 permitted to fill out an application? 8 A. He would not -- he wouldn't let me 9 fill out on application. 10 Q. What do you mean? 11 A. He wouldn't give me the 12 opportunity to fill out an application. 13 Q. What do you mean? 14 A. Because he was telling me -- I 15 mean, he was telling me I can't -- we can't 16 hire a woman for this position. And I was 17 steady trying to prove to him that I could 18 do this. Just give me a chance. Just, 19 please, give me a chance, I can do this. 20 He wouldn't give me the opportunity -- he 21 wouldn't let me have the opportunity to 22 fill out an application. 23 Q. There are applications right there</p>

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<p>1 next to you?</p> <p>2 A. Yes, sir. Now, I'm assuming</p> <p>3 that's what that was. I seen -- yes, you</p> <p>4 know, that looked like applications on that</p> <p>5 counter right there. Did I ever pick one</p> <p>6 up and look at it? No, sir, I did not.</p> <p>7 Q. Did he tell you, ma'am, I will not</p> <p>8 permit you to fill out an application?</p> <p>9 A. No, sir. He did not look at me</p> <p>10 and say I'm not going to allow you to fill</p> <p>11 out on application, ma'am. He said to me,</p> <p>12 I cannot hire you. I cannot hire a woman</p> <p>13 for this position. I just can't do it and</p> <p>14 he laughed.</p> <p>15 Q. Did you say, well, how about if I</p> <p>16 fill out an application anyway?</p> <p>17 A. At one point in time I did say</p> <p>18 something to him about an application. He</p> <p>19 shunned -- he -- I had said something to</p> <p>20 him about filling out an application and</p> <p>21 that's when he shunned me off. When he --</p> <p>22 when he -- you know, like led -- like, I'm</p> <p>23 speak to you. And I'm asking you a direct</p>	<p>1 MR. WILSON: Object to form.</p> <p>2 A. Yes he did.</p> <p>3 Q. Did he say -- what did he say that</p> <p>4 led you to believe that?</p> <p>5 A. When I had went in there and the</p> <p>6 gentleman had leaned back, he was the one</p> <p>7 that -- he was the one that let me know</p> <p>8 that Pete was the person in charge and that</p> <p>9 Pete would help -- that he would be helping</p> <p>10 me, Pete would be helping me. And as that</p> <p>11 point happened, Pete walked straight up to</p> <p>12 the counter.</p> <p>13 Q. Okay. So you assumed that if Pete</p> <p>14 was the one that was supposed to help you,</p> <p>15 it would be his decision as to who would be</p> <p>16 hired?</p> <p>17 A. Well, from the way he come across</p> <p>18 he was the decision. He is the one that</p> <p>19 told me, ma'am, I just cannot hire a woman</p> <p>20 for this position. That is -- that's what</p> <p>21 he told me. I cannot hire a woman for this</p> <p>22 position. I just can't do it. And laughed</p> <p>23 and said, I know I shouldn't be saying</p>
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<p>1 question. But you don't want to have to</p> <p>2 answer that direct question, so you lead</p> <p>3 into something else. That's what he did to</p> <p>4 me.</p> <p>5 Q. Better give me the words.</p> <p>6 A. I can't -- I can't -- he did not</p> <p>7 look at me and say, ma'am, you cannot fill</p> <p>8 out an application.</p> <p>9 Q. Did you say can I fill out an</p> <p>10 application?</p> <p>11 A. I had asked him could I fill out</p> <p>12 an application.</p> <p>13 Q. He did not say, no, you cannot?</p> <p>14 A. He never did look at me and say,</p> <p>15 ma'am, you cannot. He told me when I asked</p> <p>16 that question, he told me and laughed,</p> <p>17 ma'am, we cannot hire a woman for this</p> <p>18 position.</p> <p>19 Q. And then you left?</p> <p>20 A. Yes, sir.</p> <p>21 Q. Did Pete give you the impression</p> <p>22 it was up to him as to who would be hiring</p> <p>23 for that position?</p>	<p>1 this.</p> <p>2 Q. What did the other man look like</p> <p>3 sitting in the chair?</p> <p>4 A. He was skinnier and taller, but</p> <p>5 other than that I don't know.</p> <p>6 Q. Was he in uniform?</p> <p>7 A. I believe he was. Well, you know,</p> <p>8 I believe that there was a name tag, a</p> <p>9 patch on his shirt, but I didn't look that</p> <p>10 close -- that close.</p> <p>11 Q. Okay.</p> <p>12 A. But he was a more taller, lanky,</p> <p>13 skinnier dude.</p> <p>14 Q. Did you say to Pete after he</p> <p>15 described the position to you that -- that</p> <p>16 didn't sound like a job for you?</p> <p>17 A. No, sir, I didn't.</p> <p>18 Q. Is it possible, Ms. Minton, that</p> <p>19 he said I have never hired a woman for this</p> <p>20 position?</p> <p>21 A. No, sir.</p> <p>22 MR. WILSON: Object to the form.</p> <p>23 THE WITNESS: No, sir, that's not</p>

22 (Pages 85 to 88)

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<p style="text-align: right;">Page 89</p> <p>1 what he said, sir. No, it is not.</p> <p>2 Q. Is it possible that he said no</p> <p>3 woman has ever applied for this position</p> <p>4 before?</p> <p>5 A. No, sir. No, sir.</p> <p>6 MR. WILSON: Object to the form.</p> <p>7 THE WITNESS: No, sir, he didn't</p> <p>8 say that at all.</p> <p>9 Q. So you are a hundred percent</p> <p>10 certain that he said I cannot hire a woman</p> <p>11 for this position?</p> <p>12 MR. WILSON: Object to form, asked</p> <p>13 and answered.</p> <p>14 A. That's exactly what he said. I</p> <p>15 cannot hire a woman for this position. I</p> <p>16 just can't do it and laughed and then said</p> <p>17 I know I shouldn't be saying this.</p> <p>18 Q. Have you ever talked to anybody</p> <p>19 else at Culligan about that or about the</p> <p>20 job?</p> <p>21 A. To Mr. Jay.</p> <p>22 Q. I meant before you filed the EEOC</p> <p>23 charge. I know you talked to Jay Trumbull</p>	<p style="text-align: right;">Page 91</p> <p>1 A. Yes, sir.</p> <p>2 Q. Paragraph five says, I'm going to</p> <p>3 read it and tell me if I mess up: Upon</p> <p>4 information and belief Culligan has a</p> <p>5 discriminatory policy of not hiring females</p> <p>6 for available jobs. Moreover, the</p> <p>7 respondent engages in a pattern and</p> <p>8 practice of discriminating against female</p> <p>9 job applicants on a class wide basis in</p> <p>10 hiring. And you have declared under</p> <p>11 penalty of perjury that the foregoing is</p> <p>12 true and correct?</p> <p>13 A. Yes, sir.</p> <p>14 MR. WILSON: Object to that last</p> <p>15 question. I'm sorry.</p> <p>16 Q. What information do you have that</p> <p>17 says Culligan has a discriminatory policy</p> <p>18 of not hiring females for available jobs?</p> <p>19 MR. WILSON: Object to the form.</p> <p>20 A. When I went in there that day</p> <p>21 there wasn't one female. When I rode</p> <p>22 around town, you never seen one female. On</p> <p>23 all of their vehicles, everything you see</p>
<p style="text-align: right;">Page 90</p> <p>1 recently.</p> <p>2 A. No, sir.</p> <p>3 Q. You didn't call anybody to lodge a</p> <p>4 complaint with the company itself?</p> <p>5 A. No, sir.</p> <p>6 Q. So what was the next thing you</p> <p>7 did?</p> <p>8 A. That afternoon Michelle and myself</p> <p>9 and Mason, we rode around and did a few</p> <p>10 errands. Picked up something for supper</p> <p>11 that night, and Michelle spent a few hours</p> <p>12 at the house and her and I were talking and</p> <p>13 I believe the next day, I called - I</p> <p>14 called an attorney.</p> <p>15 Q. Would you look at Defendant's</p> <p>16 Exhibit 3, whichever one it is, the EEOC</p> <p>17 charge?</p> <p>18 A. This one, okay.</p> <p>19 Q. The information in paragraphs one</p> <p>20 through six, that is information that you</p> <p>21 provided; is that right?</p> <p>22 MR. WILSON: Object. Asked and</p> <p>23 answered.</p>	<p style="text-align: right;">Page 92</p> <p>1 is the Culligan man, the Cullman man. I</p> <p>2 rode around town and every time I would see</p> <p>3 a truck, I would look to see if there was a</p> <p>4 female. You never saw not one female.</p> <p>5 Q. Because you never saw a female</p> <p>6 driving a Culligan truck -</p> <p>7 A. I never saw a female, period.</p> <p>8 Q. Are you telling me there are no</p> <p>9 females that work for Culligan?</p> <p>10 MR. WILSON: Object to the form.</p> <p>11 A. Not to my knowledge.</p> <p>12 Q. The second statement: Moreover,</p> <p>13 the respondent engages in a pattern and</p> <p>14 practice of discriminating against job</p> <p>15 applicants on a class wide basis in hiring.</p> <p>16 What females have applied for jobs with my</p> <p>17 client?</p> <p>18 MR. WILSON: Object to the form.</p> <p>19 A. Could you ask that one more time,</p> <p>20 please?</p> <p>21 Q. What females other than yourself</p> <p>22 in filling out your application recently -</p> <p>23 A. Yes, sir.</p>

23 (Pages 89 to 92)